

# Vinson&Elkins

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February 18, 2018

## Via ECF

The Honorable Lorna G. Schofield  
United States District Court for the Southern  
District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States ex rel. Aryai v. Skanska, et al.*, Civil Action No. 09-cv-5456 (LGS)

Dear Judge Schofield:

Pursuant to Rule I.B.2 of this Court's Individual Practices and Federal Rule of Civil Procedure 6(b), Parsons Transportation Group ("Parsons") submits this letter motion requesting an extension of 28 days to answer or otherwise respond to the Amended Qui Tam Complaint, from February 20, 2018, to March 20, 2018. This is Parsons' first request for an extension of time and Relator's counsel has consented to this request.

On January 30, 2018, Relator purported to serve "CM Consortium (Parsons)" by leaving a copy of the Amended Qui Tam Complaint with the receptionist at Parsons' office, located at 100 Broadway, New York, NY 10005. [Dkt. 62]. An affidavit of service was filed with this Court on February 12, 2018, attesting that service was made on January 30, and the Court ordered defendant CM Consortium to answer or otherwise respond to the Amended Qui Tam Complaint by February 20, 2018.

We were recently retained by Parsons in connection with this matter and did not learn of the February 12 affidavit and order, or the February 20 deadline, until Friday, February 16. We apologize for any inconvenience this request may cause. A 28-day extension would afford us adequate time to assess the allegations in the Amended Qui Tam Complaint and prepare an answer or other responsive pleading. Further, we understand that the Court has extended the deadline for other defendants in this matter to answer or otherwise respond to March 20, 2018.

By filing this letter motion, Parsons does not concede that service was proper or that it has been properly named as a defendant. The Amended Qui Tam Complaint names CM Consortium as a defendant. CM Consortium is not an independent legal entity; it was a joint venture of which Parsons was a member.

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The Amended Qui Tam Complaint does not name Parsons as a defendant. However, we enter our appearances and file this motion in order to protect Parsons' interests. We intend to appear at the status conference scheduled for February 21, 2018 on Parsons' behalf.

For the foregoing reasons, Parsons respectfully requests that this Court order an extension of 28 days for Parsons to answer or otherwise plead under Federal Rule of Civil Procedure 6(b) from February 20, 2018 to March 20, 2018.

Respectfully submitted,

/s/ Clifford Thau  
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cc: All Counsel of Record (via ECF)